

JUN 02 2011

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
CHARLES KENNEY,) No.
JOYCE WHEELER,) 4) J.1CR00229AGF
Defendants.)

INDICTMENT
COUNT 1

The Grand Jury charges that:

- 1) Independent Store Employees Union (ISEU) was comprised of approximately 150 active members, all of whom were employed at various Rothman Furniture locations within the Eastern District of Missouri.
- 2) The officers of ISEU consisted of a president, vice president, treasurer, and secretary. All officers were elected triennially and sat on the executive board. The officers of the union worked part-time and were compensated monthly by the union.
- 3) The president was the union's chief executive officer and the treasurer was the chief financial officer. The president had the authority to pay current operating expenses of the union. However, the executive board approved the salaries, allowances, and expenses for the officers and any required loans.
- 4) Charles Kenney ("Kenney") and Joyce Wheeler ("Wheeler") severed as president and treasurer of the ISEU since 2001, respectively.
- 5) During the time that Kenney and Wheeler were in office, ISEU had one checking account,

one savings account and a certificate of deposit account.

- 6) Wheeler deposited the union dues into either the union's checking account or savings account. Kenney and Wheeler were signatories on the accounts and each check written from these accounts required two signatures.
- 7) Kenney and Wheeler signed checks for each other and regularly made disbursements without the executive board's approval by receiving unauthorized checks payable to themselves for loans, salary advances and member benefits.
- 8) Beginning approximately in or about March 2003 and continuing until approximately in or about February 2011, within the Eastern District of Missouri, the defendant herein,

CHARLES KENNEY

while an officer, that is President of Independent Store Employees Union, a labor organization, did embezzle, steal and unlawfully and willfully abstract and convert to his own use the money, funds, and other assets of said labor organization.

In violation of Title 29, United States Code, Section 501(c).

COUNT 2

- 1) The allegations contained in Paragraphs 1-7 of Count I of this Indictment are incorporated herein by reference.
- 2) Beginning approximately in or about March 2003 and continuing until approximately in or about February 2011, within the Eastern District of Missouri, the defendant herein,

JOYCE WHEELER

while an officer, that is Treasurer of Independent Store Employees Union, a labor organization, did embezzle, steal and unlawfully and willfully abstract and convert to her own use the money, funds, and other assets of said labor organization.

In violation of Title 29, United States Code, Section 501(c).

RICHARD G. CALLAHAN
United States Attorney

A TRUE BILL.

FOREPERSON

DIANNA R. COLLINS #59641MO
Assistant United States Attorney